Supreme Court, U.S.
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JOSEPH F. SPANIOL, JR.
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No. 89-1703

IN THE

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM 1989

REGINALD B. SNYDER

PETITIONER

Vs.

SECRETARY OF THE COMMONWEALTH OF PENNSYLVANIA, Mr. CHRISTOPHER LEWIS

RESPONDENT

PETITION FOR A WRIT OF CERTIORARI TO THE PENNSYLVANIA SUPREME COURT M.D.

SUPREME COURT OF PENNSYLVANIA Misc. # 39

PETITIONER (215) 343- 2454

REGINALD B. SNYDER
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Warrington, Pa. 18976
-1404

RESPONDENT (717) 787- 7630

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QUESTIONS PRESENTED

1. Does "EQUAL JUSTICE UNDER THE LAW" apply to political matters in the courts?

2. Does "EQUAL JUSTICE UNDER THE LAW" apply to the challanger, as well as the incumbant in state politics?

3. Should a judge be allowed to lie about facts, to keep an incumbant on the ballot?

OPINION:- Judge Smith wrote that the record lacked competent evidence that nomination petitions were submitted to the Department of State without the required notary oath.

4. Did Judge Smith write this based on the record of case # 85 M.D. 1990?

5. Did Judge Smith make this up because the respondent is an incumbant?

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TABLE OF CASES

CASE USED AT STATE SUPREME COURT

NOMINATION OF CIANFRANI 467 Pa. 491, 359 A. 2d 383, 384 (1976)

NOTE: above DOES appear in brief to state supreme court.

USED TO SUPPORT MY RIGHT TO DUE PROCESS

Kasper v. Helfrich Mo. App 421 S W 2D 66,69

Pennywell v. Rushen, 706 F 2d 355 (9th Cir. 1983)

People v. Russel 70 Reptr 210 215 448 P 2D 794

Sarelas v. Sheehan, 326 F. 2d 490 (7th Cir)

CERTIORARI MUST BE GRANTED

Certiorari must be granted, as the state court system is upholding a lie!

JURISDICTIONAL STATEMENT

Jurisdiction is pursuant to the U.S. Constitution Article III Sections 1., and 2. Jurisdiction is also pursuant to my right to due process THERE HAS BEEN NO RULING IN MY CASE AT THIS PRESENT TIME: See People v. Russel, and Kasper v. Helfrich - when a litigant deems an absolute right, the option of not doing or discretion disappears.

The time involved is within the ninety day requirement from the State Supreme Court order of April 6th 1990.

Considering time, venue, and authority, and right of due process this court has jurisdiction over this case.

REVIEW OF THE JUDGE'S OPINION

The trial court judge in fact wrote in her opinion that persons appeared before the notaries, and that the notarization was proper. The transcripts show sworn testimony that only six persons appeared, and did not swear to the oath of the circulator. Hence the opinion of Judge Smith is untrue.

REVIEW OF APPEAL TO Pa. SUPREME COURT

The case was appealed to the Pa. Supreme Court, and dismissed with a one line affirmation of the lower court decision.

The dismissal was improper as no case law was cited, and the Ruling that the Appellant asserted he had a right to under the Pa. Constitution, was circumvented. SEE CASE LAW NEXT PAGE

REVIEW OF APPEAL TO Pa. SUPREME COURT

When states create appellate rights, the process cannot be arbitrary, unfair, or rendered a nullity. See: Pennywell v. Rushen, and Sarelas v. Sheehan.

ARGUMENT

Without an oral oath the authorities lose control of the election process because the charge of perjury is eliminated as a means of policing the election process.

An oath is a public oral declaration, and an affidavit is never legal without an oath.

This case involves nomination sheets for a candidate and the law requires affidavits to be filed as a part of each sheet.

Judge Smith wrote that the record lacked competent evidence that the required notary oath was not given to the circulators of the petition sheets.

ARGUMENT CONTINUED

However the official court transcripts show otherwise.

FOR EXAMPLE:

Pg. 83 Line 12 Notary Butterworth testifies that all she knows about affidavits is that you identify the person that is signing.

Pg. 84 Line 25 Notary Butterworth testifies that she does not administer any oath.

Pg. 36 Line 15 Notary Daddis testifies that many petitions were mailed in to be notarized, she further stated that she could not estimate how many were mailed in.

Pg. 37 Line 6 Notary Daddis testifies that the extent of an oath is to identify the person that is signing.

The sheets in question are the sheets of an incumbant, and equal justice under the state election law is questioned.

CONCLUSION

Appellant requests the Supreme Court of the United States by Judges of said Court:

To review enclosed information, and upon agreement that appellant was denied a proper due process, and upon agreement that appellee has not complied with Pennsylvania law pertaining to nomination petitions, issue an order, and a ruling removing the name Jean T. Wilson from the primary ballot to be printed for the May 15th General Primary of 1990.

Under section 3477 of the Pennsylvania election code the person with the greatest number of legal votes can be certified to the Secretary of the Commonwealth as nominated or entitled to an office.

CERTIFICATE OF SERVICE / VERIFICATION

I hereby certify that a true and exact copy of the foregoing brief was sent by first class mail to the person below, and that all of the statements made herein are true.

_____

Sworn and Subscribed This ____ Day of

_____ 1990.

BY _____

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